

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS**

TYLER DIVISION

ALOFT MEDIA, LLC,

Plaintiff,

v.

COMPUWARE CORP., et al.,

Defendants.

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CIVIL ACTION NO. 6:10-CV-256-LED

JURY TRIAL DEMANDED

**ORDER DISMISSING DEFENDANT INFINERA CORPORATION
WITHOUT PREJUDICE UNDER FED. R. CIV. P. 41(a)(2)**

Plaintiff Aloft Media, LLC (“Aloft”) and Defendant Infinera Corporation’s (“Infinera”) Joint Motion to Dismiss Defendant Infinera Corporation Without Prejudice Under Fed. R. Civ. P. 41(a)(2) shall be, and hereby is, GRANTED. All claims brought by Aloft against Infinera, and all claims, counterclaims and defenses made by Infinera against Aloft, are hereby DISMISSED WITHOUT PREJUDICE.

Aloft and Infinera will each bear its own costs, expenses and legal fees.

This dismissal does not affect any other named defendants.

So ORDERED and SIGNED this 16th day of December, 2010.

A handwritten signature in black ink, appearing to read 'Leonard Davis', written over a horizontal line.

**LEONARD DAVIS
UNITED STATES DISTRICT JUDGE**